

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:14-po-61

vs.

DONOVAN E. LAYNE,

Magistrate Judge Michael J. Newman

Defendant.

ORDER DENYING DEFENDANT'S MOTION FOR RELEASE FROM LOCATION MONITORING (DOC. 19), BUT MODIFYING IN PART THE TERMS OF THAT LOCATION MONITORING

This criminal case is before the Court on Defendant's motion for release from location monitoring. Doc. 19. The Court held a hearing on Defendant's motion by telephone on October 15, 2015. Attorneys Julianne McCammon and Anthony VanNoy participated along with United States Probation Officer Kristin Keyer.

On July 30, 2015, the Court held a hearing on the merits of a June 16, 2015 probation violation report and, after Defendant admitted the violations, imposed a 90-day term of location monitoring in Indiana -- where he currently resides -- under the supervision of Defendant's Probation Officer in Indiana. Doc. 18. Defendant now asks the Court to release him from location monitoring so that he may seek employment. The government opposes Defendant's motion in light of Defendant's earlier violations (that led to the sanction at issue) and a more recent alleged July 2015 violation (discussed by the parties during the telephone hearing). The Court makes no finding with respect to that latter alleged violation.

In light of the concerns raised by both Defendant and the government, the Court **DENIES** Defendant's motion, but **MODIFIES IN PART** the terms of his location monitoring

as follows: for the remainder of Defendant's 90-day term of location monitoring, the Court **DIRECTS** that Defendant shall be **GRANTED** leave from monitoring for work (including interviews for potential employment), school, appointments with his Probation Officer, substance abuse therapy and/or treatment, and reasonable exercise and/or training.

IT IS SO ORDERED.

Date: October 16, 2015

s/ Michael J. Newman

Michael J. Newman
United States Magistrate Judge